

Report to the Licensing Sub-Committee



**Epping Forest
District Council**

Date of meeting: 2nd April 2024

Subject: Licensing Act 2003 – Application for a Premises Licence for Chickaros Chicken Chigwell, 783 Chigwell Road, Woodford Green, Chigwell, IG8 8AU.

Responsible Officer: Peter Jones, Licensing Compliance Officer 01992 564616

Democratic Services Officer:

Decisions Required:

- (1) To consider an application for a Premises Licence under the Licensing Act 2003**

Report:

Application

An application has been made by Stewart Gibson of SG Licensing on behalf of Nifras Makeen of 1 Green Foods Ltd for a new premises licence at 783 Chigwell Road, Woodford Green, Chigwell, IG8 8AU (*This address previously traded as Casa Pipino*).

1. The application is for:
Late Night Refreshment to take place Both Indoors and Outdoors.
Monday to Sunday 23:00 – 03:00.

The application specifies Opening Hours to The Public as:
Monday to Sunday 06:00 – 01:00.

A home delivery only service will operate 01:00 – 03:00.

2. The application was received on 6th February 2024.
3. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.
4. When considering an application for a licence the licensing authority must have regard to steps that are appropriate to promote of the licensing objectives. These are—
 - (a) the prevention of crime and disorder,
 - (b) public safety,
 - (c) the prevention of public nuisance, and
 - (d) the protection of children from harm.
5. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

6. All Responsible Authorities have received a copy of the application, it was also advertised at the premises and in a local newspaper. A copy of the Blue Notice and Newspaper advert is attached to this report.
7. The authority has received fifty (50) valid representations in total. These are from EFDC Community Resilience, EFDC Planning, Essex Police, Chigwell Parish Council, and forty-seven (47) from local residents/businesses.
8. The objections relate to all four (4) of the licensing objectives and are attached to this report.

Guidance Issued by the Secretary of State

9. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
10. Sections 2.15 to 2.21 of the Guidance are relevant to this application.

Options

In determining this application, the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:

- (a) to grant the licence as applied for subject to:
 - the conditions mentioned in the Operating Schedule modified as the Sub-committee considers necessary for the promotion of the licensing objectives, and
 - the mandatory conditions specified in the Licensing Act 2003, or
- (b) to exclude from the scope of the licence any licensable activities to which the application relates, or
- (c) reject the application.

Determination

The Sub-committee is asked to determine the application having regard to

- (a) the content of this report and representations
- (b) any additional information obtained from the hearing,
- (c) the Council's statement of licensing policy,
- (d) Guidance issued by the Secretary of State, and
- (e) the steps appropriate to promote the licensing objectives.

Appeal

If any party is aggrieved with the decision, they can appeal to Magistrates court. The appeal period is 21 days from notification of the decision.

Background Papers Used in Preparing This Report:

- The Licensing Act 2003.
<http://www.legislation.gov.uk/ukpga/2003/17/contents?view=plain>
- The Secretary of State's Guidance issued under Section 182 Licensing Act 2003.
- Epping Forest District Council's statement of licensing policy.
<http://www.eppingforestdc.gov.uk>

Attached Documents

- Application for a Premises Licence.
- Plan of the premises.
- Location Map
- Newspaper advert and Public Notice.
- Copies of the representations and responses.
- Copy of Applicant Statement.